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Current Class: [REDACTED]
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Document Number: 1980BUENOS08548

Page: 1

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P 139

PAGE 01 BUENOS 08548 01 OF 02 292124Z
ACTION ARA-16

INFO OCT-01 ADS-00 IO-14 AID-07 PM-07 NSC-05 SP-02
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H-01 HA-06 TRSE-00 /096 W

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TO /SECSTATE WASHDC PRIORITY 7270
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USMISSION GENEVA
AMEMBASSY LA PAZ
AMEMBASSY MONTEVIDEO
AMEMBASSY ROME
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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(☒) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (☒) In Full

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[REDACTED] SECTION 1 OF 2 BUENOS AIRES 8548

USEEC

ROME FOR VATICAN OFFICE

EO 12065: GDS 10/27/86 (RUSER, CLAUS W.) OR-M
TAGS: SHUM AR
SUBJECT: HUMAN RIGHTS SUMMARY: OCTOBER 18-24, 1980

REF: BUENOS AIRES 8412

1. SUMMARY. (U) JAURETCHE REAPPERAS. COURTS SHOW APPARENT
INDEPENDENCE. TIMMERMAN AND LOCAL JEWISH COMMUNITY AT ODDS.

2. (U) JAURETCHE REAPPEARS: OVER TWO WEEKS AFTER HIS
REPORTED DISAPPEARANCE, OSVALDO JAURETCHE RETURNED TO
[REDACTED]
[REDACTED]

PAGE 02 BUENOS 08548 01 OF 02 292124Z

HIS HOME OCTOBER 17. SUBSEQUENTLY, JAURETCHE RELEASED
A STATEMENT STATING THAT, "I WAS THE VICTIM OF WHAT

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS08548

Page: 2

Channel: n/a

HAPPENED BECAUSE OF AN INCIDENTAL RELATIONSHIP WITH A LEADER OF AN EXTREMIST ORGANIZATION...VIOLENCE TO ME PERSON BEGAN WHEN, TAKING ADVANTAGE OF THIS INCIDENTAL RELATIONSHIP, THERE WAS AN ATTEMPT TO USE MY PERSON FOR OBJECTIVES I DO NOT SHARE...I HAVE NO COMPLAINT ABOUT THE WAY I WAS TREATED."

3. (U) FOLLOWING JAURETCHE'S RELEASE AND STATEMENT, THE FEDERAL POLICE MADE AN ANNOUNCEMENT OF ITS OWN. THE POLICE STATED THAT IT WAS INVESTIGATING FULLY THE JAURETCHE CASE. THE STATEMENT WENT ON TO DECLARE THAT "THERE HAS RECENTLY BEEN DETECTED A PLANNED CAMPAIGN TO PRODUCE AND UTILIZE EVENTS TO BRING INTO DISREPUTE NATIONAL INSTITUTIONS AND THE INTERNATIONAL REPUTATION OF THE COUNTRY...THERE ARE GROUPS COMMITTED TO THIS ACTIVITY...THEY WILL BE IDENTIFIED AND PLACED AT THE DISPOSITION OF THE RESPONSIBLE AUTHORITIES." THE STATEMENT GOES ON TO SAY THAT JAURETCHE'S DISAPPEARANCE COINCIDED WITH THE MEETING OF THE INTER-AMERICAN PRESS ASSOCIATION, AND SUGGESTS THAT THIS TIMING WAS DESIGNED TO GIVE JAURETCHE'S DISAPPEARANCE SPECIAL RESONANCE.

4. [REDACTED] COMMENT: HUMAN RIGHTS ACTIVISTS HERE ARE CONVINCED THAT JAURETCHE WAS SEIZED BY SOME ELEMENT OF THE SECURITY FORCES. WE ARE INCLINED TO AGREE. IT IS HARD TO IMAGINE THAT IF HE WERE A KNOWING PARTICIPANT IN SOME PLAN TO EMBARRASS THE GOA THAT HE WOULD SURFACE HIMSELF IN ARGENTINA, GIVEN THE VERY HIGH RISKS HE WOULD RUN. AND THE NOTION THAT HE MIGHT HAVE BEEN AN UNWILLING TOOL OF SOME GROUP OUT TO BLACKEN [REDACTED]
[REDACTED]

PAGE 03 BUENOS 08548 01 OF 02 292124Z

THE GOA'S NAME IS SIMPLY ABSURD.

5. [REDACTED] COURT DECISIONS: THE COURTS CONTINUED TO PRODUCE DECISIONS ON HUMAN RIGHTS-RELATED CASES:
A) (U) IN CORDOBA SIX TERRORISTS CAPTURED IN 1975 WERE GIVEN SENTENCES RANGING FROM 21 MONTHS TO SIXTEEN YEARS. TWO OTHER DEFENDANTS WERE ABSOLVED. THE GROUP BELONGED TO ERP AND THEY WERE ACCUSED OF ACTS OF KIDNAPPING AND MURDER.
B) (U) AN APPEALS COURT IN CORDOBA REVERSED A LOWER COURT AND ORDERED THE RELEASE OF FOUR COMMUNIST PARTY MEMBERS WHO HAD BEEN ARRESTED AND WERE HELD UNDER

Current Class: [REDACTED]

Page: 2

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS08548

DECLASSIFIED

Page: 3
Channel: n/a

"PREVENTIVE DETENTION." THE COURT ALSO ORDERED ALL CHARGES BUT ONE AGAINST THE DEFENDANTS BE DROPPED. THE DEFENDANTS HAD BEEN CHARGED WITH VIOLATING THE PROHIBITION ON POLITICAL ACTIVITIES, FOR POSSESSING IDEOLOGICAL MATERIALS BELONGING TO THE PARTY AND FOR COLLECTING FUNDS FOR THE PARTY. THE COURT FOUND THE EVIDENCE ON THE FIRST TWO CHARGES INSUFFICIENT BUT ORDERED PROSECUTION ON THE THIRD.

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PAGE 01 BUENOS 08548 02 OF 02 292125Z
ACTION ARA-16

INFO OCT-01 ADS-00 IO-14 AID-07 PM-07 NSC-05 SP-02
SS-15 CIAE-00 DODE-00 INR-10 NSAE-00 PA-01 ICA-11
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[REDACTED] SECTION 2 OF 2 BUENOS AIRES 8548

2) [REDACTED] WE HAVE BEEN PRIVATELY TOLD THAT THE SUPREME COURT HAS INTERVENED IN A FEW CASES INVOLVING RIGHT OF OPTION REQUESTS. THE COURT'S INTERVENTION CAME ON A HANDFUL OF INDIVIDUALS WHOSE OPTION REQUESTS HAVE BEEN REPEATEDLY DENIED BY THE GOA BUT WITHOUT EXPLANATION. THE COURT TOLD THE GOVERNMENT THAT IT WOULD EITHER HAVE TO PRODUCE A JUSTIFICATION FOR THE DENIALS OR GRANT THE INDIVIDUALS IN QUESTION THE RIGHT OF OPTION. ACCORDING TO OUR SOURCE THE GOA REVIEWED THE CASES AND HAS DECIDED TO GRANT OPTION IN SOME OF THE CASES IN WHICH IT CANNOT PRODUCE EVIDENCE TO JUSTIFY FURTHER DETENTION.

Current Class: [REDACTED]

Page: 3

DECLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS08548

Page: 4

Channel: n/a

6. [REDACTED] COMMENT: THESE CASES INVOLVE THE RELEASE OF TWO INDIVIDUALS CHARGED WITH TERRORISM, A FINDING IN FAVOR OF COMMUNISTS AND THE IMPOSITION OF THE AUTHORITY OF THE SUPREME COURT. WHEN WE DISCUSS JUDICIARY INDEPENDENCE HERE WITH THE [REDACTED]
[REDACTED]

PAGE 02 BUENOS 08548 02 OF 02 292125Z

GOA THESE ARE THE KIND OF DECISIONS THAT ARE OFTEN POINTED TO BY THOSE WHO ASSERT THAT THE INDEPENDENCE OF THE JUDICIARY IS AN ESTABLISHED FACT IN ARGENTINA TODAY.

7. (U) TIMMERMAN MAKES WAVES: JACOBO TIMMERMAN'S ATTENDANCE AT THE IAPA MEETING EARLIER THIS MONTH, HIS DESCRIPTION OF THE GOA AS "FASCIST" AND HIS REPORTED ASSERTION THAT OFFICIAL ANTI-SEMITISM EXISTS HERE CONTINUED TO ECHO LOCALLY. THE SPOKESMAN FOR ARGENTINA'S NEWSPAPERS AT IAPA TOOK TIMMERMAN ON OVER BOTH ISSUES. THEN, DAIA, THE JEWISH COMMUNITY'S SPOKESMAN, CHALLENGED HIS ACCOUNT OF OFFICIALLY-SPONSORED ANTI-SEMITISM, DENYING ITS EXISTENCE. FINALLY, TIMMERMAN'S LAWYERS, BOTH APPARENTLY JEWISH, RESIGNED OVER HIS CHARGES. AS THE LAWYERS' PUBLIC LETTER OF RESIGNATION SUGGESTS, THE JEWISH COMMUNITY HERE WAS ALARMED NOT ONLY BY TIMMERMAN'S COMMENTS ON ANTI-SEMITISM AND FASCISM BUT ALSO BY HIS REFUSAL TO BE REFERRED TO AS "AN EXILED ARGENTINA." THE LAWYERS EVIDENTLY FELT, READING BETWEEN THE LINES OF THEIR LETTER, THAT SUCH A REFUSAL FEEDS THE MILLS OF ANTI-SEMITES HERE WHO ARGUE THAT ARGENTINE JEWS ARE SOMEHOW LESS THAN FULLY COMMITTED TO ARGENTINA.

8. [REDACTED] COMMENT: AS THE DEPARTMENT IS AWARE, THE LEADERSHIP OF THE ARGENTINE JEWISH COMMUNITY, AS WELL AS MOST OF ITS MEMBERS, DIFFERS PROFOUNDLY WITH TIMMERMAN BOTH OVER THE SITUATION OF JEWS IN ARGENTINA AND HOW BEST TO SECURE THE COMMUNITY'S INTERESTS. THE BUENOS AIRES HERALD, COMMENTING ON THIS LATEST CLASH OF VIEWS, AND PARTICULARLY THE PRESENCE OF OFFICIAL ANTI-SEMITISM, STATED "THE MEN AT THE TOP (OF THE GOVERNMENT) HAVE ACTIVELY OPPOSED ANTI-SEMITISM, THOUGH MANY SENIOR OFFICIALS HAVE A TENDENCY TO REGARD JEWS [REDACTED]
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PAGE 03 BUENOS 08548 02 OF 02 292125Z

Current Class: [REDACTED]

Page: 4

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS08548

1980 10 07 13
10 07 13

Page: 5
Channel: n/a

AS OUTSIDERS...IN THE SECURITY FORCES THERE ARE PLENTY
OF DEDICATED ANTI-SEMITES." THE DAIA, OF COURSE, IS
AWARE OF THIS SITUATION. IT WAS, FOR EXAMPLE,
PARTICULARLY PLEASED THAT PRESIDENT VIDELA'S GREETINGS TO
THE JEWISH COMMUNITY ON THE JEWISH NEW YEAR FOR THE
FIRST TIME CONTAINED NOT EVEN A HINT THAT JEWS HERE
ARE OUTSIDERS. THE DAIA IS EVIDENTLY CONCERNED THAT
TIMMERMAN'S ATTACKS WILL FUEL ANTI-SEMITISM HERE. IT
IS TROUBLING TO NOTE THAT FOLLOWING THE REPORT OF
TIMMERMAN'S REMARKS IN SAN DIEGO, A JEWISH CEMETERY
IN BUENOS AIRES WAS DESECRATED BY ANTI-SEMITES.
SHLAUDEMAN

[REDACTED]

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Current Class: [REDACTED]

Page: 5